



MAY 11 2016

Deborah Carol Roth  
(212) 513-3509  
[deb.roth@hklaw.com](mailto:deb.roth@hklaw.com)

May 10, 2016

*By Federal Express No. 8060 7871 5341*

Regional Freedom of Information Officer  
U.S. Environmental Protection Agency  
290 Broadway, 26th Floor  
New York, New York 10007

Re: Notice of FOIA Twenty-Day Statutory Deadline Violation/Offer to Assist; FOIA  
Tracking No. EPA-R2-2015-011032

Dear Sir or Madam:

On September 23, 2015, I submitted an on-line written request under the Federal Freedom of Information Act for copies of funding agreements relating to a certain project known as "Ponce Sanitary Trunk Sewer Rehabilitation Using Trenchless Technology – Phase 2, Ponce, Puerto Rico, EPA Number: C-72-093-21, CIP Number: 4-58-5083, Bid Number: 13-SP-043, Contract No. 2014-000. A copy of the request and subsequent communication is attached. This request was placed on behalf of our client, Longo de Puerto Rico, LLC.

The FOIA requires your office to respond to a FOIA request within twenty business days from the date of receipt of such a request, or thirty business days if your office needs to collect information from other field offices. On October 15, 2015, your office contacted me and indicated that your staff had spoken directly with the client by telephone, and asked if I still required hard copies of the request. By e-mail dated October 15, 2015, I responded and stated that my client still required hard copies of the request. On December 11, 2015, I again contacted your office, specifically Jaime Geliga, and requested an update on status of the request. As of last week, the FOIA on-line tracking system indicated that the request was still be processed. Again, I e-mailed your office on May 4, 2016 to request a status update. To date and seven months from filing this request, we still have not received a hard-copy response on the status of the request.

We wish to resolve this situation without the necessity of litigation. Therefore, I am offering to assist your office in any way possible to facilitate the prompt release of the requested

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documents. If we may redefine or clarify our request, or to answer any questions, by all means, please let us know.

Please let us know if we can help you in your efforts to publicly disclose the requested information. While we do not want to resort to litigation at this time, a legal action may be required if disclosure is not promptly forthcoming within ten (10) days of this letter.

Sincerely yours,

HOLLAND & KNIGHT LLP



Deborah Carol Roth

DCR:vlb  
Enclosure

**Roth, Deborah C (NYC - X73509)**

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**From:** Roth, Deborah C (NYC - X73509)  
**Sent:** Wednesday, May 04, 2016 4:07 PM  
**To:** 'Geliga, Jaime'  
**Subject:** RE: FOIA Request

Dear Jamie:

I contacted you back in December regarding the status of our client's FOIA request (which was submitted in September of last year). According to my on-line tracking, the request is still being processed? It's been almost seven months and we have not gotten a hard copy response. The request is indicated in the thread below. Thank you and I look forward to hearing from your office.

Deb Roth

**Deborah Roth | Holland & Knight**

Associate

Holland & Knight LLP

31 West 52nd Street | New York, NY 10019

Phone 212.513.3509 | Fax 212.385.9010

deb.roth@hklaw.com | www.hklaw.com

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**From:** Roth, Deborah C (NYC - X73509)  
**Sent:** Friday, December 11, 2015 11:22 AM  
**To:** Geliga, Jaime <[Geliga.Jaime@epa.gov](mailto:Geliga.Jaime@epa.gov)>  
**Subject:** FW: FOIA Reques

Hi Jamie:

On behalf of our client Longo de Puerto Rico, we made a request a request for the documents cited below on October 15, 2015. Almost two months have passed since our last communication and the client is concerned. Can you give me an update on the status of this FOIA request? I know that your office spoke with the client on the phone, but they would like hard copy documents, as indicated in my e-mail below. Thank you.

Deb Roth

**Deborah Roth | Holland & Knight**

Associate

Holland & Knight LLP

31 West 52nd Street | New York, NY 10019

Phone 212.513.3509 | Fax 212.385.9010

deb.roth@hklaw.com | www.hklaw.com

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**From:** Roth, Deborah C (NYC - X73509)  
**Sent:** Thursday, October 15, 2015 1:56 PM  
**To:** 'Geliga, Jaime' <[Geliga.Jaime@epa.gov](mailto:Geliga.Jaime@epa.gov)>  
**Subject:** RE: FOIA Reques

Hi Jaime:

Yes, the client still wants the documentation relating to the FOIA request below, including any documentation for the information verbally transmitted. Thank you and please let me know if you have any questions.

Deb

**Deborah Roth | Holland & Knight**

Associate

Holland & Knight LLP

31 West 52nd Street | New York, NY 10019

Phone 212.513.3509 | Fax 212.385.9010

[deb.roth@hklaw.com](mailto:deb.roth@hklaw.com) | [www.hklaw.com](http://www.hklaw.com)

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**From:** Geliga, Jaime [<mailto:Geliga.Jaime@epa.gov>]  
**Sent:** Thursday, October 15, 2015 9:54 AM  
**To:** Roth, Deborah C (NYC - X73509) <[deb.roth@hklaw.com](mailto:deb.roth@hklaw.com)>  
**Subject:** RE: FOIA Reques

Ok thanks

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**From:** [deb.roth@hklaw.com](mailto:deb.roth@hklaw.com) [<mailto:deb.roth@hklaw.com>]  
**Sent:** Thursday, October 15, 2015 9:52 AM  
**To:** Geliga, Jaime  
**Subject:** RE: FOIA Reques

Jaime:

Thanks so much for your response. I'll check with the client to confirm that we don't need any further information, but I appreciate your quick response.

Deb

**Deborah Roth | Holland & Knight**

Associate

Holland & Knight LLP

31 West 52nd Street | New York, NY 10019

Phone 212.513.3509 | Fax 212.385.9010

[deb.roth@hklaw.com](mailto:deb.roth@hklaw.com) | [www.hklaw.com](http://www.hklaw.com)

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**From:** Geliga, Jaime [<mailto:Geliga.Jaime@epa.gov>]  
**Sent:** Thursday, October 15, 2015 6:53 AM  
**To:** Roth, Deborah C (NYC - X73509) <[deb.roth@hklaw.com](mailto:deb.roth@hklaw.com)>  
**Subject:** FOIA Reques

Hi Ms. Roth

This is in response to your FOIA request described below. Last week my staff had a conversation with personal from Longo de Puerto Rico in which some of the information requested was verbally transmitted. Please let me know if you still want all the information requested below or if during the conversation with my staff some of your representative concerns were addressed and not all the information is needed.

Thanks

- Long Description: This request is submitted on behalf of Holland & Knight LLP pursuant to the Freedom of Information Act (5 U.S.C. Sec. 552). We are interested in obtaining funding agreements relating to a certain project known as "Ponce Sanitary Trunk Sewer Rehabilitation Using Trenchless Technology - Phase 2, Ponce, Puerto Rico; EPA Number: C-72-093-21; CIP Number: 4-58-5083, Bid Number: 13-SP-043; Contract No. 2014-000. The attached agreement (between Puerto Rico Aqueduct and Sewer Authority and Longo De Puerto Rico, LLC) for this Project indicates that the Project is funded in part by State Revolving Funds from the Environmental Protection Agency, administered by the Puerto Rico Environmental Quality Board. We would like to obtain a copy of any and all funding agreements between the EPA and the Puerto Rico Environmental Quality Board or any other entity relating to this Contract, and, if any, any funding agreement between the Puerto Rico Environmental Quality Board and the Puerto Rico Aqueduct and Sewer Authority. Finally, if there are recurring records such as payment applications or monthly funding applications between the above referenced parties or any other entity administering funds for this Contract, we also request a copy of those documents. Thank you and we look forward to hearing from you. This is a commercial use request and we are willing to pay for this request up to a maximum of \$250. If you estimate that the fee will exceed this limit, please inform the undersigned first. Deborah C. Roth Holland & Knight LLP 212-513-3509 [deb.roth@hklaw.com](mailto:deb.roth@hklaw.com)

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